

Mr. STIRLING. They cannot repeal it if we adopt it.

The PRESIDENT. I am as anxious as any gentleman here to have a proper school system established. But you cannot vest in the superintendent the power to say that if his recommendations are not adopted by the legislature, they shall notwithstanding become the law of the land.

Mr. STOCKBRIDGE. The report does not say that.

The PRESIDENT. If it does not say that, then I do not understand it. It says:

"And in case of a failure on the part of the general assembly so to provide, the system reported to it by the State superintendent of public instruction shall become a law, and have full effect as if enacted by the general assembly; provided, that the report of the State superintendent shall be in conformity with the provisions of this constitution."

On motion of Mr. STOCKBRIDGE,
The convention then took a recess.

EVENING SESSION.

The convention met at 8 o'clock, P. M.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott, Annan, Baker, Bond, Brown, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Duvall, Earle, Ecker, Edelen, Farrow, Galloway, Greene, Harwood, Hebb, Hoffman, Hollyday, Hopkins, Hopper, Keefer, Kennard, King, Lee, Markey, Mayhugh, McComas, Mitchell, Miller, Mullikin, Murray, Nyman, Parker, Parran, Pugh, Purnell, Ridgely, Robinette, Russell, Sands, Schley, Scott, Smith, of Worcester, Stirling, Stockbridge, Swope, Todd, Wooden—52.

ASSISTANT SUPERINTENDENTS OF PUBLIC INSTRUCTION.

The convention resumed the consideration of the report of the committee on education, on its second reading.

The pending question was on the adoption of the amendment submitted by Mr. EDELEN, to strike out the second section of the report, as follows:

"Sec. 2. There shall be an assistant superintendent of public instruction in each county and the city of Baltimore, who shall be appointed by the State superintendent of public instruction, shall hold office for four years, receive such compensation and perform such duties as the general assembly may prescribe."

Mr. EDELEN demanded the yeas and nays, and they were ordered.

Mr. PURNELL. I will read for information an amendment I wish to offer at the proper time; to strike out the second and fifth sections, and to insert the following:

"That the State superintendent of public instruction, shall as soon as a system of edu-

cation shall have been adopted by the general assembly, proceed to appoint, by and with the approval of the State board of education, a school commissioner in each of the election districts in the respective counties of this State, who shall perform such duties and receive such compensation as shall be provided for by said board of public education, and who shall hold his office for the period of four years from the date of his appointment, unless removed by the State board of education for neglect of duty or other malfeasance in office."

The question being taken, the result was—yeas 15, nays 36—as follows:

Yeas—Messrs. Goldsborough, President; Bond, Brown, Davis, of Washington, Edelen, Harwood, Hollyday, Hopkins, Lee, Mayhugh, Mitchell, Miller, Parran, Purnell, Sands—15.

Nays—Messrs. Abbott, Annan, Baker, Cunningham, Cushing, Daniel, Dellinger, Earle, Ecker, Farrow, Galloway, Greene, Hebb, Hoffman, Hopper, Keefer, Kennard, King, Markey, McComas, Mullikin, Murray, Nyman, Parker, Pugh, Ridgely, Robinette, Russell, Schley, Scott, Smith, of Worcester, Stirling, Stockbridge, Swope, Todd, Wooden—36.

As their names were called,

Mr. DANIEL said: After due consideration upon this matter, I shall withdraw the objection I made to-day, although I consider this going a little too much into detail, for fear it may split up this system, and that it may not go into effect. I think the amendment the gentleman from Worcester (Mr. Purnell) will offer, liable to some objection, and I propose to offer an amendment to that, so that the legislature may from time to time amend it, if we adopt the State superintendent's system. In order to get something, I shall vote for the system pretty much as it is. I vote "no."

Mr. EDELEN said: I am not influenced in any respect whatever in the vote I shall give to strike out this section, by any feeling of opposition to the inauguration in this State of a system of uniform public school education. The reason that actuates me, I have stated somewhat at length; and it is the same reason in one respect which governs the gentleman from Baltimore city (Mr. Daniel) and my friend from Howard (Mr. Sands.) Another reason why my people are opposed to this thing is that we already in my county, and I believe in the adjacent counties, (I know in Prince George's county,) have already a public school system with which we are abundantly satisfied. Upon the point made by the gentleman from Baltimore city (Mr. Abbott,) to the effect that we were opposed in that section of Maryland to spending money in educating the children of poor men, I would only remark to the convention that I happen to have before me here the accounts of